

REMARKS

The claims have been amended in accordance with agreed upon amendments between applicant and the Examiner in a telephone conversation on 4/29/2004. Specifically, claim 1 has been amended to delete "variant" language. Claim 2 has been amended to recite specific fragments and variants of SEQ ID NO:2, or the complements thereof, in "consisting of" language; claim 6 has been amended in the preamble to specifically recite the protein of SEQ ID NO:1, and to modify the language of element a); claim 7 has likewise been amended in the preamble to specifically recite the nucleic acid "encoding SEQ ID NO:1", and to correct the antecedent basis in 7b) from "cDNA" to "nucleic acid"; claim 10 has been amended to also correct the antecedent basis from "cDNA" to "nucleic acid"; claim 11 has been amended in the preamble to specifically recite the cDNA ""of claim 1"; and claim 12 has been amended to delete "artificial chromosome constructions", "transcription factors", "peptides" and "repressors".

CONCLUSION

In light of the above amendments, Applicants submit that the present application is fully in condition for allowance, and request that the Examiner withdraw the outstanding objections/rejections. Early notice to that effect is earnestly solicited..

If the Examiner contemplates other action, or if a telephone conference would expedite allowance of the claims, Applicants invite the Examiner to contact the undersigned at the number listed below.

Applicants believe that no fee is due with this communication. However, if the USPTO determines that a fee is due, the Commissioner is hereby authorized to charge Deposit Account No. 09-0108.

Respectfully submitted,

INCYTE CORPORATION

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